

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GREGORY RALPH ABRARIA,  
Petitioner,  
v.  
WARDEN, et al.,  
Respondents.

No. 2:21-cv-01161-TLN-KJN

**ORDER**

Petitioner, a state prisoner proceeding *pro se*, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 07, 2022, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party filed objections to the findings and recommendations.

Although it appears from the file that petitioner's copy of the findings and recommendations was returned, Petitioner was properly served. It is Petitioner's responsibility to keep the Court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

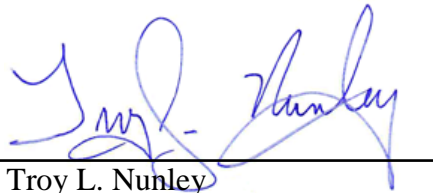
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1 The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602  
2 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed *de novo*.  
3 *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed  
4 the file, the Court finds the findings and recommendations to be supported by the record and by  
5 the magistrate judge's analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations filed November 07, 2022, are ADOPTED IN  
8 FULL;  
9 2. This action is DISMISSED without prejudice for failure to prosecute. *See* Local Rule  
10 183(b);  
11 3. The Clerk of Court is directed to close the case; and  
12 4. The Court declines to issue the certificate of appealability referenced in 28 U.S.C.  
13 § 2253.

14 **DATE: February 7, 2023**

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19 Troy L. Nunley  
20 United States District Judge  
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